

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JS-6

CIVIL MINUTES – GENERAL

Case No.	8:24-cv-00306-CJC-JDE	Date	May 13, 2024
Title	Yeong Lee v. A Better Way, LLC et al		

PRESENT: HONORABLE CORMAC J. CARNEY, UNITED STATES DISTRICT JUDGE

Rolls Royce Paschal

Deputy Clerk

Not Reported

Court Reporter

Attorneys Present for Plaintiffs:

None Present

Attorneys Present for Defendants:

None Present

PROCEEDINGS: (IN CHAMBERS) ORDER DISMISSING ACTION FOR LACK OF PROSECUTION

It is a plaintiff's responsibility to prosecute the action diligently and respond promptly to Court orders. The Court's Order Regarding Prosecution of Certain Cases Under the Americans with Disabilities Act states that "a request for default must be filed no later than **5 days after the time the response to the complaint would have been due.**" (Dkt. 9 [hereinafter the "Order"] at 2 [emphasis in original].) The Order further admonishes that "failure to comply with this Order in a particular case will result in a dismissal for lack of prosecution." (*Id.* at 3.)

In this case, Plaintiff served Defendant on March 13, 2024. (Dkt. 13.) Defendant's answer was therefore due on or before April 3, 2024. (*Id.*) Then, a stipulation extending time to answer was filed. Defendant's answer was therefore due on or before May 3, 2024. Although more than 5 days have passed since that date, Defendant has not responded to the Complaint and Plaintiff has not filed a request for default. The Court therefore **DISMISSES** this action for lack of prosecution.

Initials of Deputy Clerk:

rrp